

**“Port of New-Orleans SHUT.”: A Natchez
Broadside at Archivo General de Indias**

Capit Joseph V. de la...

Port of New-Orleans SHUT.

By an Express arrived this evening from New-Orleans, we have received the following important intelligence, which we hasten to give to our readers.—

Extra? of a Letter from a gentleman in New-Orleans to his friend in this place, dated Oct. 19, 1802.

"Yesterday the Intendant issued orders, not only for shutting the port of New-Orleans against American vessels coming with cargoes to sell, which was expected; but even totally to prevent the deposit—a step that must produce infinite embarrassment, as well as much loss to many of the citizens of the United States. Two boats that arrived from above yesterday, with flour, were not allowed to land it; consequently cotton, &c. coming from Natchez will be in the same predicament."

PROCLAMATION

OF THE

INTENDANT:

AS long as it was necessary to tolerate the trade of neutrals which is now abolished, it would have been prejudicial to this colony, that the Intendant complying with his duty should have prevented the deposit in this city of the property of Americans as granted to them by the 22 article of the Treaty of Friendship, Limits and Navigation of the 27th October, 1795, at the expiration of the three years prefixed; but now that with the pub-

lication of the Treaty of Amiens and the re-establishment of the communication between the English and Spanish subjects that inconvenience has ceased, considering that the 22d article of the said treaty prevents my continuing this toleration, which necessity required after the fulfillment of the stipulated time this ministry can no longer consent to it without an express order of the King's. Therefore without prejudice to the exportation of what has been admitted in proper time, I order that from this date shall cease the privilege which the Americans had of bringing and depositing their goods in this capital. And that the foregoing may be publicly known, and that no body may plead ignorance, I order it to be published in the accustomed places, copies to be posted up in public; and that the necessary notice to be given of it to the departments of Finance, Royal Custom-house, and others that may be thought proper.

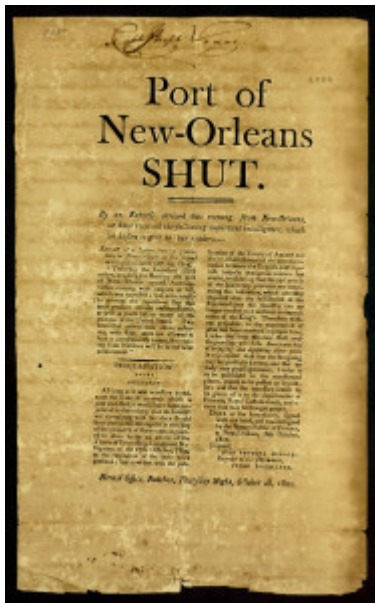
DONE at the Intendancy, signed with my hand, and countersigned by the Notary Public of Finance, at New-Orleans, 16th October, 1802.

(Signed)

JUAN VENTURA MORALES.
By order of the Intendant,
PETER PEDESCLAUX.

Herald Office, Natchez, Thursday Night, October 28, 1802.

Signed with a flourish across the top by Captain Joseph (José) Vidal (1797-1869), this little-known printed notice was distributed by the Natchez office of the *Mississippi Herald* in late October 1802 (fig. 1). While measuring only 6.8 x 11.2 in. (17.5 x 28.5 cm.), “Port of New-Orleans SHUT.” is in keeping, in terms of its size, with many eighteenth and early nineteenth-century broadsides. Broad­sides are defined as separately published and unfolded pages, created and sold for public display.



1. “Port of New-Orleans SHUT.” Published by Andrew Marschalk (Natchez, Miss., October 28, 1802), 6.8 x 11.2 in. (17.5 x 28.5 cm.) AGI, Cuba 95, 523a, fol.1084 – “Port of New-Orleans SHUT.” España. Ministerio de Educación, Cultura y Deporte. Archivo General de Indias. Courtesy of the Archivo General de Indias, Seville, Spain.

The sole extant print of multiple originals, today “Port of New-Orleans SHUT.” remains in the collection of the Archivo General de Indias (AGI) in Seville, Spain. The ephemerality of the original series, whose existence was nearly forgotten forever save this single example, contrasts with the indelible event it announced: Spain’s final closure of the port of New Orleans to Americans, which revoked their “right of deposit,” re-activated by Intendant Juan Ventura Morales (1756-1819) in April 1798. The following paragraphs explore this rare document, its origin, and the meaning of Vidal’s signature.

***Nueva Orleans* and “Right of Deposit”**

Established in 1718, New Orleans was the capital of France’s vast Louisiana Territory. Yet, by the Treaty of Fontainebleau (1762) following the French and Indian War, France ceded Louisiana to Spain, for whom the territory functioned as a bulwark against British incursions into New Spain. Later, Spain, under constant threat of Anglo-American invasion, endeavored to strengthen political ties with United States via the Treaty of San Lorenzo (July 1795). Amidst the

resolution of various border disputes for this agreement, Thomas Pinckney, the United States' minister in Great Britain, also successfully negotiated with Spain for free navigation of the Mississippi River and tax-free export via *Nueva Orleans*. By "right of deposit," established by Article 22 of the San Lorenzo treaty (or Pinckney's Treaty), American agents were permitted to store and export their goods through Spanish New Orleans duty free.

However, by order of this printed decree, originally published by Juan Morales on October 16, 1802, the Intendant rescinded the right of deposit: "I order that from this date shall cease the privilege which the Americans had of bringing and depositing their goods in this capitol. And that the foregoing may be publicly known, and that no body may plead ignorance, I order it to be published in the accustomed places, copies to be posted up in public . . ." Morales' controversial order is generally thought to have originated with Miguel Cayetano Soyer, Spain's minister of the Treasury, though historian Arthur Whitaker cites pressure from France to thwart American commerce, and the topic remains debated. It is noteworthy that Louisiana, via the secret Third Treaty of San Ildefonso (1800), was, in fact a possession of France in 1802. As Whitaker notes, Pierre-Clement de Laussat, sent by Napoleon to serve as colonial prefect at New Orleans observed the following: "The Anglo-American flag eclipses by its number here those of France and Spain. . . . They (Americans) are poisoning these countries with English goods, with which French goods cannot compete." Whatever its precise cause, Morales' order provoked immediate outrage among merchants, who challenged its authenticity and legality.



2. *Mississippi Herald*, published by Andrew Marschalk (Natchez, Miss., August 10, 1802). Courtesy of the New-York Historical Society.

Numerous American newspaper editorials decried the embargo and demanded Louisiana's cessation or purchase, though the matter had been under

consideration for some time. In 1798, a petition by the people of Kentucky to Congress demanded navigation rights.

The Mississippi is ours by the law of nature; it belongs to us by our numbers, and by the labour which we have bestowed on those spots which before our arrival, were desert and barren. Our innumerable rivers swell it, and flow with it into the Gulf of Mexico. Its mouth is the only issue which nature has given to our waters, and we wish to use it for our vessels. We do not prevent the Spanish and French from ascending the river to our towns and villages. We wish, in our turn to descend it without any interruption to its mouth, to ascend it again, and to exercise our privilege of trading on it and navigating it at our pleasure. If our most entire liberty in this matter is disputed, nothing will prevent our taking possession of the capital (of Louisiana), and when we are once masters of it, we will know how to maintain ourselves there. If Congress refuses us effectual protection, if it forsakes us, we will adopt the measures that our safety requires, even if they endanger the Peace of the Union and our connection with other States. No protection, no allegiance.

Morales' 1802 embargo realized the American merchants' simmering concerns.

The broadside resurfaces

We likely owe the rediscovery of this broadside at the Archivo General de Indias to Douglas Crawford McMurtrie (1888-1944), whose posthumous *Bibliography of Mississippi Imprints, 1798-1830* includes a description and photostatic copy kept in the Library of Congress. It is not known precisely how "Port of New-Orleans SHUT." entered the Archivo General collection, though it was likely among the papers of Spanish Louisiana officials who returned to Spain via Havana during the late nineteenth century. Following the Louisiana Purchase, administrators such as Morales were dispatched to Pensacola and retained many records pertinent to their administration. Captain Vidal, then secretary to the Mississippi Territory's Spanish Governor Manuel Gayoso de Lemos, may have directed the notice to his associates in Spain in 1802.

For nearly two centuries, the notice remained bound together with a handwritten Spanish translation of its contents. Prolonged direct contact with that manuscript resulted in the imprint of that handwriting on its surface. According to Guillermo José Morán Dauchez of AGI, the ink used for the translation was a common one of that era called "metallogallic," made of iron dust and gallic acid. Such ink acquires a characteristic sepia tone as it effectively rusts, causing the aforementioned imprint. Recently conservators isolated the sheet from other materials to prevent further acidification.

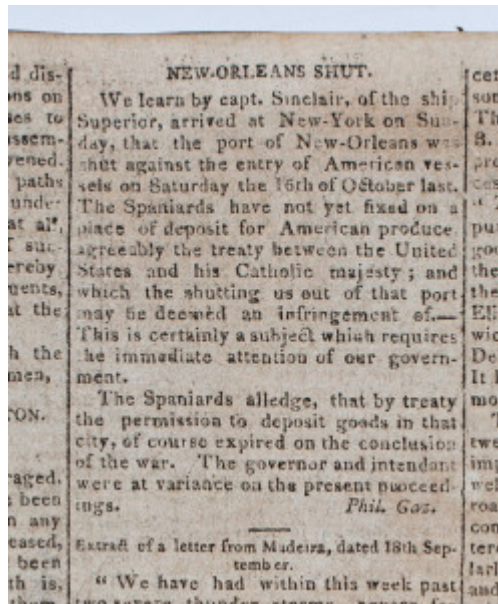
The printer

A notation at the bottom of the page reads, "Herald Office, Natchez, Thursday Night, October 28, 1802." This line indicates that the broadside was printed at

the offices of the *Mississippi Herald*, founded in June 1802 by New York-born [Andrew Marschalk](#) (1767-1838), though his name does not appear on the document. Marschalk learned the printing trade in London, where he acquired a mahogany printing press in 1790 and shipped it to America. While serving in the United States Army, Marschalk was commissioned to print the new laws of the Territory in Natchez, which he accomplished with a second press that he crafted himself to accommodate larger pages.

The *Mississippi Herald* ran under various names, including the *Mississippi Herald*, and *Natchez Repository*, until 1807. Its earliest surviving editions of August 10 and 17, 1802, remain in the collection of the New-York Historical Society, though no issues exist in any collection from the month of October 1802 (fig. 2). The dimensions of the earliest editions of 1802-3 (at the New-York Historical Society, Harvard, and the Library Company of Philadelphia) are consistent at 16.1 x 27.2 in. (41 x 69 cm.), indicating that "Port of New-Orleans SHUT." was a separate broadside commission independent from the regular newspaper. However, other newspapers such as Philadelphia's *Aurora general advertiser* of Nov. 24, 1802, printed similar advice in their pages (fig. 3).

Documents such as "Port of New-Orleans SHUT." and the *Aurora* notice, "New Orleans Shut" remind us of the slower pace at which news travelled during the early nineteenth century. For example, an interval of nearly two weeks took place between Morales's declaration and its translation and printing in Natchez for an American audience. (For travel *upriver* from New Orleans to Natchez, this amount of time for news to travel was then quite efficient.) Further, another month passed before this news hit the Philadelphia papers. Certainly, a well-developed American military presence poised at Fort McHenry near Natchez expedited the shift in power at New Orleans following the Louisiana Purchase (1803). However, letters in the collection of Tulane University from Miguel Cayetano Soyer to Juan Morales as late as May 1805 describe James Monroe's recent appearance in Spain and resolutely dismiss Monroe and Thomas Pinckney's entreaty that the United States be compensated for the enormous loss of goods as hundreds of ships languished at the New Orleans docks two years prior.



3. "New-Orleans Shut," *Aurora General Advertiser* (Philadelphia, November 24, 1802). Courtesy of the American Antiquarian Society, Worcester, Massachusetts.

A "Letter from a gentleman"

Future examination of the Archivo General de Indias documents originally bound with Captain Vidal's copy of "Port of New-Orleans SHUT." may reveal more evidence. However, the purpose of his signature is explained in F. Baily's "Description of Louisiana," published in Sir Richard Phillips' *Monthly Magazine, or, British Register* (Vol. XV), for January-July 1803. Having visited Louisiana between 1796 and 1797, Baily explains:

The present dispute between America and Spain respecting the shutting of the port of New Orleans, having engrossed considerable attention in the political world, I have taken the liberty of sending you a description of that city . . . extracted principally from a journal which I kept during my travels.

Among his many observations, he took note of a local printer:

There is but one printing-press in this town, and that is for the use of the Government only. The Spaniards are too jealous to suffer the inhabitants to have the free exercise of it; and however strange it may appear, it is nevertheless true, that you cannot stick a paper against the wall (either to recover anything lost, or to advertise anything for sale) unless it has the signature of the Governor or his Secretary attached to it.

In the years following the death of Governor Gayoso in 1799 and prior to the Louisiana Purchase, José Vidal served as the Spanish Commandant of the Post of Concordia in Natchez. His imprimatur legitimized Marschalk's broadsides displayed in the Mississippi Territory at Morales' request and which showed "intelligence" provided by an anonymous (and potentially unreliable) source in the form of an "Extract of a Letter from a gentleman in New-Orleans to his

friend in this place.”

Vidal’s signature, required to authorize this document’s display and contents, implies the complexity of power relations in the lower Mississippi River Valley as French, Spanish, and American officials operated neck-and-neck. While it made its way, probably among a Spanish official’s papers, into the Archivo General de Indias, it is an American broadside, printed in English, by an American press, and relaying a message for an American audience that was entrenched in the Mississippi Territory, militarily and otherwise. While it explicitly relays Morales’ message, “Port of New-Orleans SHUT.” just as boldly implies the inevitability of Anglo-American hegemony in the Gulf South.

Further Reading

For further information about New Orleans under Spanish administration see: David Narrett, *Adventurism and Empire, The Struggle for Mastery in the Louisiana-Florida Borderlands, 1762-1803*; Cécile Vidal, *Louisiana: Crossroads of the Atlantic World* (Philadelphia, 2014), and Ralph Lee Woodward, “Spanish Commercial Policy in Louisiana, 1763-1803,” *Louisiana History: The Journal of the Louisiana Historical Association*, 44:2 (Spring 2003): 133-164.

For discussion about Spain and the American right of deposit see: C. Richard Arena, “Philadelphia-Mississippi Valley Trade and the Deposit Closure of 1802,” *Pennsylvania History: A Journal of Mid-Atlantic Studies*, 30:1 (January 1963): 28-45 and Arthur P. Whitaker, “France and the American Deposit at New Orleans,” *The Hispanic American Historical Review*, 11:4 (November 1931): 485-502.

Pertinent literature about the Louisiana Purchase (1803) includes: Alexander DeConde, *This Affair of Louisiana* (New York, 1976), Patricia L. Dooley, ed., Jon Kukla, *A Wilderness so immense: the Louisiana Purchase and the destiny of America* (New York, 2003), and Junius P. Rodriguez, ed., *The Louisiana Purchase, A Historical and Geographical Encyclopedia* (Santa Barbara, 2002).

Source material on early Gulf South printing for this article is derived from: Douglas C. McMurtrie, *A Bibliography of Mississippi Imprints, 1798-1830* (Beauvoir Community, Miss., 1945); Douglas C. McMurtrie, “The Pioneer Printer of New Orleans,” *The Southern Printer* (Chicago, 1930; Chapel Hill, N.C., 2015).

This article originally appeared in issue 16.2 (Winter, 2016).

Cybèle T. Gontar is a PhD candidate at the the Graduate Center, City University of New York, where she is completing her dissertation “José Francisco Xavier de Salazar y Mendoza and Jacques Guillaume Lucien Amans: Portraiture, Identity, and Plantation Society in New Orleans, 1790-1890.” She currently teaches Global New Orleans: Art and Material Culture in the

Gulf South, 1718-present at Tulane University.